Memorandum

DATE: October 3, 2008

REPLY TO
ATTN OF: Chris Morris, Freedom of Information Act Officer, Office of Information Resources

SUBJECT: Collection of Data for the Freedom of Information Act (FOIA) Annual Report FY08

TO: All Field Freedom of Information Act Officers

In order to prepare the 2008 annual report on the operation of the Freedom of Information Act (FOIA) at the Department of Energy certain information is needed from your office. You should refer to the guidance that the Department of Justice issued regarding the annual report. I have attached a copy for your convenience.

Also, please provide in an excel spreadsheet the listings that I requested you create that will be used to provide the median age for certain criteria in the report for the entire Department.

Please provide the following requested information to Sheila Jeter of my staff by **October 17, 2008.**

Name of Field Office and contact: **Western Area Power Administration**

Exemption 3 Statutes

A. List of Exemptions 3 statutes relied on by agency during current fiscal year, September 30, 2008.

1. Brief description of type(s) of information withhold under each statute and the number of times used.

        None.

2. Statement of whether a court has upheld the use of each statute. If so, then cite citation.

_____ N/A _____

_____

_____

_____

_____

Initial FOIA/PA Access Requests

A. Numbers of initial requests.

		FOIA
1.	Requests pending as of September 30, 2007.	2
2.	Requests received during FY 2008.	14
3.	Requests processed during FY 2008.	15
4.	Requests pending as of September 30, 2008.	1

B. (1) Disposition of initial requests.

1.	Number of total grants.	5
2.	Number of partial grants.	6
3.	Number of denials.	0
4.	No Records.	3
5.	All records referred to another Component or Agency.	0
6.	Request withdrawn.	1
7.	Fee related reason.	0
8.	Records not reasonably described.	0
9.	Improper FOIA request for other reason.	0
10.	Not agency record.	0
11.	Duplicate request.	0
12.	Other *Explain below.	0
	TOTAL	15

(2) Description of "Other" reasons and the number of times those reasons were relied upon.

_____ N/A _____   _____

_____   _____

(3) Number of times each FOIA exemption was used
(Counting each exemption once per request)

(1) Exemption 1 _____0_____
(2) Exemption 2 _____0_____
(3) Exemption 3 _____0_____

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(4) Exemption 4          6
(5) Exemption 5          0
(6) Exemption 6          0
(7) Exemption 7(A)       0
(8) Exemption 7(B)       0
(9) Exemption 7(C)       0
(10) Exemption 7(D)      0
(11) Exemption 7(E)      0
(12) Exemption 7(F)      0
(13) Exemption 8         0
(14) Exemption 9         0
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Compliance with Time Limits/Status of Pending Requests

A. Response time for processed requests during the year.

1. Simple requests (if multiple tracks used)

   a. number of request processed   14
   b. median number of days to process   8.5
   c. average number of days to process   11.07
   d. lowest number of days to process   5
   e. highest number of days to process   22

2. Complex request (if multiple tracks used)

   a. number of requests processed   1
   b. median number of days to process
   c. average number of days to process
   d. lowest number of days to process
   e. highest number of days to process   119

3. Requests accorded expedited processing

   a. number of requests processed/granted   0
   b. median number of days to process
   c. average number of days to process
   d. lowest number of days to process
   e. highest number of days to process

B. Response time for perfected requests in which information was granted.

1. Simple requests (if multiple tracks used)

   a. number of request processed   0
   b. median number of days to process
   c. average number of days to process
   d. lowest number of days to process
   e. highest number of days to process

2. Complex request (if multiple tracks used)

    a. number of requests processed   __0__
    b. median number of days to process   _____
    c. average number of days to process   _____
    d. lowest number of days to process   _____
    e. highest number of days to process   _____

3. Requests accorded expedited processing

    a. number of requests processed/granted   __0__
    b. median number of days to process   _____
    c. average number of days to process   _____
    d. lowest number of days to process   _____
    e. highest number of days to process   _____

C. Response time in Day increments for all processed requests.

1. Simple requests

1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401 + Days	Total
13	1	0	0	0	0	0	0	0	0	0	0	0	14

2. Complex requests

1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401 + Days	Total
0	0	0	0	0	1	0	0	0	0	0	0	0	1

3. Requests granted expedited treatment

1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401 + Days	Total
0	0	0	0	0	0	0	0	0	0	0	0	0	0

D. Status of pending requests.

1. Simple requests (if multiple tracks used)

    a. number of request pending   __1__
    b. median number of days pending   _____
    c. average number of days pending   _____

2. Complex request (if multiple tracks used)

    a. number of requests pending   0
    b. median number of days pending   _____
    c. average number of days pending   _____

3. Requests accorded expedited processing

    a. number of requests pending   0
    b. median number of pending   _____
    c. average number of days pending   _____

E. Pending requests – Ten oldest pending perfected requests **None.**

	10th Oldest	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest
Date Received Number of Days Pending										

Requests for Expedited Processing and Requests for Fee Waiver

A. Requests for Expedited processing: **None.**

Number Granted	Number Denied	Median number of days to adjudicate	Average number of days to adjudicate	Number adjudicated within ten calendar days

B. Requests for Fee waiver

Number granted	Number denied	Median number of days to adjudicate	Average number of days to adjudicate
1	**0**	**1**	**1**

FOIA Personnel and Costs

A. Personnel

    1. Number of full-time FOIA employees   0

2. Number of equivalent full time FOIA employees ___60 percent of 1 FTE___
3. Total number of full time FOIA staff ___.60___

B. Costs (including staff and all resources)

1. Processing costs ___$48,000.00___
2. Litigation-related costs ___$0.00___
3. Total costs ___$48,000.00___

Fees Collected for Processing Requests

A. Total amount of fees collected by agency for processing requests ___$151.25___
B. Percentage of total costs ___75%___

Backlogs, Consultations, and Comparisons

A. Backlogs of FOIA requests

1. Number of backlogged requests as of end of fiscal year ___0___

B. Consultations on FOIA requests – Received, Processed, and Pending Consultations

Number of Consultations received from other agencies that were pending at your agency as of Start of Fiscal Year	Number of consultations received from other agencies during the fiscal year	Number of consultations received from other agencies that were processed by your agency during the fiscal year	Number of consultations received from other agencies that were pending at your agency as of End of the fiscal year
0	6	6	0

C. Consultations of FOIA requests – Ten Oldest Consultations Received from other Agencies and Pending at your Agency

	10th Oldest Consultation and Number of Days Pending	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultation and Number of Days Pending
Date	0	0	0	0	0	0	0	0	0	0
Number of Days Pending										

D. Comparison of Numbers of Requests from Previous and Current Annual Report – Requests Received, Processed, and Backlogged

1. Number of requests received during last fiscal years Annual Report __27___
2. Number of requests received during this current fiscal year ___14___
3. Number of backlogged requests as of end of fiscal year from previous Annual Report __2___
4. Number of backlogged requests as of end of this current fiscal year __1___

If you have any questions about the report, please contact me at (202) 586-3159 or Ms. Sheila Jeter on (202) 586-5061. You may return the information requested for the annual report to her at:

FOIA/Privacy Act Division
Forrestal Building, Room 1G-051
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585
Fax: (202) 586-0575

Thank you for your continued support of the FOIA/Privacy Act Programs.

Attachment: DOJ Guidance for Annual Report